

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND,
BALTIMORE DIVISION**

CROFTON VENTURES LIMITED
PARTNERSHIP,

Plaintiff,

v.

G&H PARTNERSHIP, ET AL.,

Defendants.

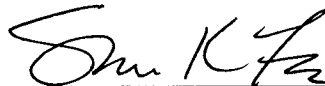
Civil Action No. MJG 96-1378

REPLY MEMORANDUM IN SUPPORT OF MOTION TO REOPEN

The plaintiff, Crofton Ventures Limited Partnership (“Crofton”), by its undersigned counsel, submits this reply memorandum in support of its Motion to Reopen.

Contemporaneously with the filing of this Reply Memorandum, Crofton filed a Motion to Enforce Settlement Agreement. The Motion to Enforce Settlement Agreement is based upon admissions made by defendant, E. Stewart Mitchell, Inc. (“ESM”), in its Opposition to Plaintiff’s Motion to Reopen (the “Opposition”). In particular, ESM alleges in its Opposition that the parties settled this case on November 19, 2002 and a term included in that settlement dealing with allocation of the settlement amount was not a condition precedent to the settlement agreement. In light of ESM’s admission that a binding settlement agreement exists requiring ESM to pay Crofton the sum certain of \$1,475,000 in exchange for title to the property at issue in these proceedings, Crofton respectfully requests that the court defer any ruling on the Motion to Reopen until it has ruled on the Motion to Enforce Settlement Agreement.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Steven K. Fedder". The signature is fluid and cursive, with the first name "Steven" and last name "Fedder" clearly distinguishable. It is positioned above a horizontal line.

Steven K. Fedder (Fed. Bar No. 00873)

Damon L. Krieger (Fed. Bar No. 26848)

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CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on this 14th day of November, 2003, a true and correct copy of the plaintiff's Reply Memorandum in Support of Motion to Reopen was filed electronically and mailed by first class U.S. Mail, postage prepaid, to:

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STEVEN K. FEDDER